

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Christopher Ivey and Robert Hall,

Civil No. 08-944 (DWF/RLE)

Plaintiff,

v.

ORDER

Cal Ludeman, Commissioner of the
Minnesota Department of Human
Services; Michael Tessneer, Director of
State-Operated Services; Minnesota
Sex Offender Program; and
State of Minnesota,

Defendants.

Christopher Ivey, *Pro Se*, Plaintiff.

Robert Hall, *Pro Se*, Plaintiff.

Robin Christopher Vue-Benson, Assistant Attorney General, Minnesota Attorney General's
Office, counsel for Defendants.

Based upon the Report and Recommendation of Chief United States Magistrate
Judge Raymond L. Erickson, and after an independent review of the files, records and
proceedings in the above-entitled matter,

IT IS HEREBY ORDERED:

1. That this action is **DISMISSED** as to Hall's claims, for lack of prosecution,
and for failure to comply with this Court's Order of October 6, 2008.

2. That Ivey's Motion for Voluntary Dismissal (Doc. No. 21) is **GRANTED**.

3. That the Defendants' Motion to Dismiss (Doc. No. 11) is **DENIED, AS MOOT**.

4. That the Plaintiffs' Motion to Amend their Complaint (Doc. No. 19) is **DENIED, AS MOOT**.

Dated: November 19, 2008

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court